

**U.S. District Court
District of Hawaii (Hawaii)
CIVIL DOCKET FOR CASE #: 1:08-cv-00066-JMS-BMK**

RSI Corporation v. International Business Machines Corporation et al
Assigned to: JUDGE J. MICHAEL SEABRIGHT
Referred to: Judge BARRY M. KURREN
Cause: 15:1125 Trademark Infringement (Lanham Act)

Date Filed: 02/15/2008
Date Terminated: 07/14/2008
Jury Demand: None
Nature of Suit: 190 Contract: Other
Jurisdiction: Diversity

Plaintiff

RSI Corporation
*a New Jersey corporation
doing business as
Responsive Systems Company*

represented by **Edmund W.K. Haitzuka**
Carlsmith Ball LLP
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V.

Defendant

**International Business Machines
Corporation**

represented by **Scott L. Watson**
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Valerie Roddy

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Defendant

Doe Defendants 1-20

| Date Filed | # | Docket Text |
|------------|----------|---|
| 02/15/2008 | <u>1</u> | COMPLAINT against all defendants (Filing fee \$ 350.), filed by RSI Corporation. (Attachments: # <u>1</u> Civil Cover Sheet)(gls,) (Entered: 02/19/2008) |
| 02/15/2008 | <u>2</u> | Order Setting Rule 16 Scheduling Conference for 09:00AM on 5/12/2008 before Judge BARRY M. KURREN.. Signed by JUDGE HELEN GILLMOR on 2/15/08. (Attachments: # <u>1</u> Corporate Disclosure memo)(gls,) (Entered: 02/19/2008) |
| 02/15/2008 | <u>3</u> | Filing fee: \$ 350.00, receipt number 242602 (gls,) (Entered: 02/19/2008) |
| 04/25/2008 | <u>4</u> | Corporate Disclosure Statement by International Business Machines Corporation. (Kawamura, Shirley) (Entered: 04/25/2008) |
| 04/25/2008 | <u>5</u> | STIPULATION <i>Extending Time for Defendant IBM to Respond to Plaintiff's Complaint</i> by International Business Machines Corporation. (Kawamura, Shirley) (Entered: 04/25/2008) |
| 04/27/2008 | <u>1</u> | CORRECTIVE ENTRY. The entry docket number <u>5</u> Stipulation filed by International Business Machines Corporation was filed incorrectly in this case. The Stipulation shall be submitted In Accordance With Section 9 – Submission of Proposed Orders – of the Amended General Procedural Order. The signatures shall be converted to the E-signature convention (e.g., /s/Attorneys Name) and then submitted to Magistrate Judge Kurren Order Email Box. The filing party may reference the order, the Users Guide or the Court website for the email address to the appropriate Judge. (gls,) (Entered: 04/27/2008) |
| 04/28/2008 | <u>6</u> | |

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| | | EO: Rule 16 Scheduling Conference is continued from 5/12/2008 to 9:00AM on 7/14/2008 before Judge BARRY M. KURREN by agreement of the parties. Scheduling Conference Statements due 7/7/2008. Shirley M. Kawamura notified parties. (Judge BARRY M. KURREN)(rwy) (Entered: 04/28/2008) |
| 04/30/2008 | <u>I 7</u> | First STIPULATION Extending Time For Defendant IBM to Respond to Plaintiff's Complaint, International Business Machines Corporation answer due 5/27/2008.. Signed by Judge BARRY M. KURREN on 4/28/08. (gls,) (Entered: 05/01/2008) |
| 05/02/2008 | <u>I 8</u> | Affidavit of Service Returned Executed by RSI Corporation. IBM Served on 4/14/08. (Attachments: # <u>1</u> Exhibit 1)(gls,) (Entered: 05/02/2008) |
| 05/09/2008 | <u>I 9</u> | PRO HAC VICE Filing fee for attorney Valerie Roddy: \$ 225.00, receipt number 243531 (bbb,) (Entered: 05/13/2008) |
| 05/09/2008 | <u>I 10</u> | PRO HAC VICE Filing fee for attorney Shon Morgon: \$ 225.00, receipt number 243532 (bbb,) (Entered: 05/13/2008) |
| 05/09/2008 | <u>I 11</u> | PRO HAC VICE Filing fee for attorney Scott L. Watson: \$ 225.00, receipt number 243533 (bbb,) (Entered: 05/13/2008) |
| 05/09/2008 | <u>I 12</u> | Filing fee: \$ 225.00, receipt number 243533 as to Scott L. Watson – Pro Hac Vice (gls,) (Entered: 05/13/2008) |
| 05/09/2008 | <u>I 13</u> | Filing fee: \$ 225.00, receipt number 243532 as to Shon Morgan – Pro Hac Vice (gls,) (Additional attachment(s) added on 5/13/2008: # <u>1</u> Main Document) (gls,). (Entered: 05/13/2008) |
| 05/09/2008 | <u>I 14</u> | Filing fee: \$ 225.00, receipt number 243531 as to Valerie Roddy – Pro Hac Vice (gls,) (Entered: 05/13/2008) |
| 05/12/2008 | <u>I 15</u> | Ex Parte Application and Order for Admission Pro Hac Vice, Attorney Valerie Roddy for International Business Machines Corporation added.. Signed by Judge BARRY M. KURREN on 5/12/08. (Attachments: # <u>1</u> Declaration of Shirley M. Kawamura, # <u>2</u> Declaration of Valerie Roddy, # <u>3</u> Order Granting Ex Parte Application for Admission Pro Hac Vice, # <u>4</u> Certificate of Service)(gls,) (Entered: 05/13/2008) |
| 05/12/2008 | <u>I 16</u> | Ex Parte Application and Order for Pro Hac Vice, Attorney Shon Morgan for International Business Machines Corporation added.. Signed by Judge BARRY M. KURREN on 5/12/08. (Attachments: # <u>1</u> Declaration of Shirley M. Kawamura, # <u>2</u> Declaration of Shon Morgan, # <u>3</u> Order granting Application for Pro Hac Vice as to Shon Morgan, # <u>4</u> Certificate of Service)(gls,) (Entered: 05/13/2008) |
| 05/12/2008 | <u>I 17</u> | Ex Parte Application and Order for Pro Hac Vice, Attorney Scott L. Watson for International Business Machines Corporation added.. Signed by Judge BARRY M. KURREN on 5/12/08. (Attachments: # <u>1</u> Declaration of Shirley M. Kawamura, # <u>2</u> Declaration of Scott L. Watson, # <u>3</u> Order Granting Ex Parte Application for Admission Pro Hac Vice of Scott L. Watson, # <u>4</u> Certificate of Service)(gls,) (Entered: 05/13/2008) |
| 05/27/2008 | <u>I 18</u> | MOTION to Change Venue to the Northern District of California Pursuant to 28 U.S.C. 1404(A) Shirley M. Kawamura appearing for Defendant International Business Machines Corporation (Attachments: # <u>1</u> Table of Contents, # <u>2</u> Table of Authorities, # <u>3</u> Memorandum in Support of Defendant IBM's Motion to Transfer Venue to the Northern District of California Pursuant to 28 U.S.C. 1404(A), # <u>4</u> |

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| | | Local Rule 7.5(e) Certification, # <u>5</u> Declaration of Michael J. Harris, # <u>6</u> Declaration of Valerie Roddy, # <u>7</u> Exhibit A, # <u>8</u> Exhibit B, # <u>9</u> Certificate of Service)(Kawamura, Shirley) (Entered: 05/27/2008) |
| 05/27/2008 | <u>I 19</u> | MOTION to Dismiss <i>or, in the Alternative, Strike</i> Shirley M. Kawamura appearing for Defendant International Business Machines Corporation (Attachments: # <u>1</u> Table of Contents, # <u>2</u> Table of Authorities, # <u>3</u> Memorandum in Support of Defendant IBM's Motion to Dismiss <i>or, in the Alternative, Strike</i> , # <u>4</u> Local Rule 7.5(e) Certification, # <u>5</u> Certificate of Service)(Kawamura, Shirley) (Entered: 05/27/2008) |
| 05/27/2008 | <u>I 20</u> | NOTICE by International Business Machines Corporation re <u>19</u> MOTION to Dismiss <i>or, in the Alternative, Strike</i> , <u>18</u> MOTION to Change Venue <i>to the Northern District of California Pursuant to 28 U.S.C. 1404(A)</i> MOTION to Change Venue <i>to the Northern District of California Pursuant to 28 U.S.C. 1404(A)</i> MOTION to Change Venue <i>to the Northern District of California Pursuant to 28 U.S.C. 1404(A)</i> Request for Judicial Notice in Support of (1) Defendant IBM's Motion to Transfer Venue <i>to the Northern District of California Pursuant to 28 U.S.C. 1404(A)</i> and (2) Defendant IBM's Motion to Dismiss <i>or, in the Alternative, Strike</i> International Business Machines Corporation. (Attachments: # <u>1</u> Declaration of Michael J. Harris, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Certificate of Service)(Kawamura, Shirley) (Entered: 05/27/2008) |
| 05/29/2008 | <u>I 21</u> | ENTERING ORDER: The court at this time takes no action on Defendant IBM'S Motion to Dismiss <i>or, in the Alternative, Strike</i> <u>19</u> until after a determination of Defendant IBM's Motion to Change Venue to the Northern District of California Pursuant to 28 U.S.C. 1404(a). <u>18</u> (JUDGE J. MICHAEL SEABRIGHT)(edm,) (Entered: 05/29/2008) |
| 05/29/2008 | <u>I</u> | COURT'S CERTIFICATE of Service – a copy of 21 has been served by First Class Mail to the addresses of record on 5/29/2008. Registered Participants of CM/ECF received the document electronically at the e–mail address listed on the Notice of Electronic Filing (NEF). (edm,) (Entered: 05/29/2008) |
| 05/29/2008 | <u>I 22</u> | NOTICE of Hearing on Motion <u>18</u> Defendant IBM's Motion To Transfer Venue To The Northern District Of California Pursuant To 28 U.S.C. 1404(A) set for 7/14/2008 @ 09:30 AM in before Judge BARRY M. KURREN. (rwy) (Entered: 05/29/2008) |
| 05/29/2008 | <u>I 23</u> | EO: Rule 16 Scheduling Conference set for 7/14/2008 @ 9:00 AM is moved to 9:30 AM the same day before Judge BARRY M. KURREN. (Judge BARRY M. KURREN)(rwy) (Entered: 05/29/2008) |
| 05/29/2008 | <u>I</u> | COURT'S CERTIFICATE of Service – a copy of 23 Set Deadlines/Hearings and 22 Notice of Hearing on Motion have been served by First Class Mail to the addresses of record on 5/29/08. Registered Participants of CM/ECF received the document electronically at the e–mail address listed on the Notice of Electronic Filing (NEF). (rwy) (Entered: 05/29/2008) |
| 06/25/2008 | <u>I 24</u> | NOTICE by RSI Corporation <i>Plaintiff RSI's Notice of Non–Opposition to Defendant IBM's Motion to Transfer Venue to the Northern District of California</i> RSI Corporation. (Attachments: # <u>1</u> Certificate of Service)(Grimmer, Gary) (Entered: 06/25/2008) |
| 06/26/2008 | <u>I 25</u> | EO: <u>18</u> Defendant IBM's Motion To Transfer Venue To The Northern District Of California Pursuant To 28 U.S.C. 1404(A) and Rule 16 Scheduling Conference set |

for hearing on 7/14/2008 have been vacated. Shirley M. Kawamura to prepare Stipulation to transfer venue to the Northern District of California. Motion terminated: 18 Defendant IBM's Motion To Transfer Venue To The Northern District Of California Pursuant To 28 U.S.C. 1404(A). (Judge BARRY M. KURREN)(tyk) (Entered: 06/26/2008)

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| 06/26/2008 | <u>I</u> | COURT'S CERTIFICATE of Service – a copy of 25 Terminate Hearings, Terminate Motions, has been served by First Class Mail to the addresses of record on 6/26/2008. Registered Participants of CM/ECF received the document electronically at the e–mail address listed on the Notice of Electronic Filing (NEF). (tyk) (Entered: 06/26/2008) |
| 07/14/2008 | <u>I</u> <u>26</u> | STIPULATION To Transfer Venue To The Northern District of California. Signed by JUDGE J. MICHAEL SEABRIGHT on 7/14/08. (gls,) (Entered: 07/14/2008) |
| 07/14/2008 | <u>I</u> | Case transferred to The Northern District of California. (gls,) (Entered: 07/14/2008) |